



An
Bord
Pleanála

Inspector's Report ABP-302844-18

Development	Construction of a Detached Two-storey Dwelling House, Shared Parking to the Front and all Associated Site Works
Location	670 River Forest View, Leixlip County Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	18685
Applicant(s)	Camillus Woolhead
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Camillus Woolhead
Date of Site Inspection	10 th January 2019
Inspector	Colin McBride

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.2 hectares (red line boundary of the site enlarged in response to FI to include the existing dwelling), is located within the housing development of River Forest View, which is located to the north of Leixlip. The site is occupied by a two-storey semi-detached dwelling. The site is located off a cul-de-sac with the dwellings grouped around a turning circle. A footpath/passageway runs along the southern boundary of the site, which is defined by a block wall. Adjoining dwellings are similar in design and scale.

2.0 Proposed Development

- 2.1. Permission is sought for the sub-division of an existing site for the construction of a detached two-storey house with communal shared parking the front and associated site works. The proposal entails subdivision of a site associated with an existing two-storey semi-detached dwelling. The proposed dwelling has a floor area of 93sqm and a ridge height of 7.695m. The dwelling is a two-bed dwelling and it is proposed to have a rear amenity space and a shared parking area with the existing dwelling on the site to be subdivided. The dwelling features a pitched roof and external finishes similar to the existing dwelling on the adjoining sites.

3.0 Planning Authority Decision

3.1. Decision

Permission refused based on one reason...

1. The proposed development, by virtue of its set back building line, two-storey height and elevated location on a restricted site in close proximity to other dwellings, would represent haphazard piecemeal development in an established residential area and does not constitute appropriate infill development. The proposed car parking arrangement adjacent to a turning circle and public pathway would pose a traffic hazard to pedestrians and other road users. It is therefore considered that the proposed development would set an undesirable precedent for future developments in the area, would impact negatively on the residential amenities of the area and

would be contrary to the zoning objective for the area as contained in the Leixlip Local Area Plan 2017-2023 which is 'to protect and enhance the amenity of established residential communities and promote sustainable intensification'. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning report (27/07/18): Further information including details of proposed amenity space, revised site location map, details of surface water drainage, demonstration that both sites can be accessed by vehicles at the same time and details of a combined entrance.

Planning report (26/09/18): There were concerns regarding the setback proposed, the relationship of the dwelling with adjoining development, inadequate parking arrangements and the precedent that would be set. Refusal was recommended based on the reason outlined above.

3.2.2. Other Technical Reports

Area Engineer (26/06/18): Further information including details of surface water drainage and details of access arrangements/parking.

Roads, Transportation and Public Safety Dept (03/07/18): No objection subject to conditions.

Environment Section (20/07/18): No objection subject to conditions.

Water Services (27/07/18): Conditions in the event of grant of permission.

Irish Water (28/07/18): No objection.

3.3. Third Party Observations

No third party observations.

4.0 Planning History

17/1266: Permission granted for a two-storey extension to an existing two-storey semi-detached dwelling.

5.0 Policy Context

5.1. Development Plan

The relevant plan is the Leixlip Local Area Plan 2017-2023. The site is zoned 'B' (Existing Residential and Infill) with a stated objective 'to protect and enhance the amenity of established residential communities and promote sustainable intensification'.

Kildare County Development Plan 2017-2023

Chapter 17: Development Management Standards.

5.2. Natural Heritage Designations

None in the vicinity.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal has been lodged by Derek Whyte Planning Consultant on behalf of Camillus Woolhead, 670 River Forest View, Leixlip, Co. Kildare.

- It is noted that permission has been granted for a two-storey extension to the side of the existing house under ref no. 17/1266, which is similar in size and scale to the dwelling refused. It is noted that the refusal based on relationship with adjoining properties and setback is contradictory to this previous decision.

- It is noted that there is additional separation distance created by the public pathway to the south of the site and such is unique to the site. A grant of permission would not set a precedent in this regard.
- The proposal is consistent with the pattern of development in the area.
- In relation to traffic it is noted that the Council's Roads Department raised no objection to the proposed development. The proposal is in a quiet cul-de-sac that is lightly trafficked and would not be a traffic hazard.
- The appellant notes ref no. 300212-17 and PL09.248197 in which proposals for infill houses refused by Kildare County Council were overturned by the Board.

6.2. Planning Authority Response

Response by Kildare County Council.

- The Council confirm that they have no further observations to make.

7.0 Assessment

Design, scale, pattern of development/adjoining amenity

Traffic

Appropriate Assessment

7.1. Design, scale, pattern of development/adjoining amenity:

- 7.1.1 The proposal was deemed to represent haphazard piecemeal development in an established residential area and constitute inappropriate infill development by virtue of its set back building line, two-storey height and elevated location on a restricted site in close proximity to other dwellings. The first party appeal notes that the scale of the dwelling is similar to that of a two-storey extension granted to the side of the existing dwelling (17/1266).

7.1.2 The proposal is for subdivision of the site of an existing two-storey semi-detached dwelling. The existing dwelling is within a cul-de sac and the dwellings are arranged around a turning circle. There are a number of development control objectives set down under Chapter 17 of the County Development Plan. The proposal is compliant with private open space standard set down under Table 17.5 (55sqm for two bed and 60sqm for three bed units) with both the proposed development provided with and the existing dwelling retained with sufficient private open space. Car parking standards are under table 17.9 with the requirement for two spaces per dwelling. The revised plans in response to further information provide for a communal area serving both dwellings with two spaces for each of the dwellings (proposed and existing). The proposal appears to comply with development plan standards.

7.1.3 The pattern of development on site and its location off a turning circle means the site is irregular in shape. The proposed dwelling is set back from the front elevation of the existing dwelling on site and extends beyond the rear building line of such. Despite compliance with minimum development plan standards, the proposal does not conform to the existing pattern of development with the dwelling set back a significant distance behind the building line of the existing dwelling on site. Although the dwelling is separated from adjoining development to a reasonable degree and in particular by virtue of the existing pathway to the south, the dwelling would give rise to a haphazard form of development out of character with existing development at this location. I would also note the irregular shape of the site means that the dwelling is not totally independent from the existing dwelling on site with the need to have a shared parking arrangement. I would consider that any infill development within such an area should be able to be totally independent from the existing dwelling on site. In this regard I would consider that the proposal would constitute overdevelopment of the site, and inappropriate deviation from the established pattern of development and a failure to provide a dwelling of adequate quality in that it is not fully separated and independent of the existing dwelling on site. The proposed development would therefore, be contrary to the proper planning and sustainable development of the area.

7.2. Traffic:

7.2.1 Permission was refused on the basis that the proposed car parking arrangement adjacent to a turning circle and public pathway would pose a traffic hazard to pedestrians and other road users. The proposal seeks to widen the existing entrance and provide for a shared car parking area to the front of the dwelling with space for four vehicles in accordance with the minimum parking standards set down under Development Plan policy (table 17.9). I would note that the shared parking arrangement is not ideal and that the shape of the site does not allow for the provision of separate access and parking provision for the existing and proposed dwelling. Notwithstanding such, I would consider that the proposal would not represent a traffic hazard. The existing entrance is being widened and the site is located off a residential cul-de-sac with slow moving traffic and similar turning movements already being generated.

7.3 Appropriate Assessment:

7.3.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

8.1. I recommend refusal based on the following reason....

9.0 **Reasons and Considerations**

1. The irregular shape of the site and the layout of the proposed development would give rise to a form of development that deviates significantly from the established pattern of development and would constitute a haphazard form of development. The

proposal would also constitute overdevelopment of the site and an inappropriate deviation from the established pattern of development with a failure to provide for a dwelling of adequate quality in that it is not fully separated and independent of the existing dwelling on site due to the need to have shared access and parking. The proposed development would constitute a substandard residential development and set an undesirable precedent similar development in this area. The proposed development would therefore, be contrary to the proper planning and sustainable development of the area.

Colin McBride
Planning Inspector

15th January 2019